

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

**Alvin Kershman**

Serial No: **09/912,219**

Filed: **July 25, 2001**

For: **FARINACEOUS SURFACE PRODUCT THAT IS  
TOASTER REHEATABLE AND METHOD**

)  
) Examiner: **Thuy Tran Lien**  
)  
) Art Unit: **1761**  
)  
) Attorney Docket: **SK-3**  
)  
) Date: **February 4, 2003**

CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on **February 4, 2003**

Signed: Jay R Beyer

**AMENDMENT/RESPONSE**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Dear Sir:

The following amendments and remarks are intended as a full and complete response to the outstanding Office Action dated (mailed) November 5, 2002.

**In the Claims**

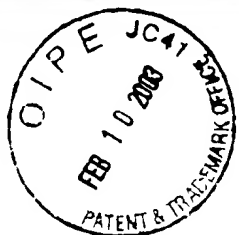
**Marked-up versions of amended claims are provided in Appendix A. A clean copy of the claims has been provided immediately hereinafter for entry in the case.**

1. (once amended) In producing a reheatable food product including an outermost farinaceous layer defining one or more outermost surfaces, a method comprising the steps of:  
coating at least a portion of the outermost surfaces with a high solid fat index lipid mixture to form a high solid fat index layer on said portion of the outermost surfaces.
2. (once amended) The method of Claim 1 wherein said outermost farinaceous layer includes at least one of wheat, corn, rye, barley, rice, soy bean and potato flour for [use in] receiving said coating.
3. (once amended) The method of Claim 1 including the step of reheating the reheatable product in a toasting environment to cause the high solid fat index layer to transfer heat into the interior of the food product by melting and resolidifying in a way which limits toasting of the outermost surfaces while absorbing into the product.

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Signed  
Jay R Beyer

ASSISTANT COMMISSIONER OF PATENTS  
Washington, D.C. 20231

SIR: Transmitted herewith is an Amendment for the above application.

Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established  
No additional fee is required.  
☒ **Postcard included**

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)		SMALL ENTITY	NON- SMALL ENTITY
	Claims Remaining	Minus	Previously Paid For	Present Extra	Rate	Additional Fee
Total Claims	*47		**45	2	x 9 \$	x 18 \$ 36
Indep. Claims	*3		***3	0	x 42 \$	x 84 \$ 0
First Presentation of Multiple Dependent Claim(s)					+140 \$	+280 \$
					Total \$	Total \$ 36

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

Applicant(s) hereby Petition(s) for an Extension of Time of \_\_\_\_\_ month(s) pursuant to 37 C.F.R. § 1.136(a).

☒ Please charge my Deposit Account No. **19-1685 (Order No. SK-3)** the amount of \$ **36.00**.

**A duplicate copy of this sheet is enclosed.**

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **19-1685 (Order No. SK-3)** (a duplicate copy of this sheet is enclosed):

☒ Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of extra claims.  
☒ Any extension or petition fees under 37 C.F.R. § 1.17.

Respectfully submitted,

Jay R Beyer  
Registration No. 39,907